

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

RICHARD DIAB,

Plaintiff,

v.

No. CIV 14-0764 LH/LAM

DETECTIVE DARCY MCDERMITT,

Defendant.

**ORDER DENYING PLAINTIFF'S
MOTION FOR DEFAULT JUDGMENT [Doc. 36]**

THIS MATTER is before the Court on Plaintiff's *Motion for Default Judgement on Court Order* (Doc. 36), filed August 3, 2015. In his motion, Plaintiff contends that Defendant McDermitt failed to file a timely answer to Plaintiff's complaint, and asks the Court to enter default judgment against her for this failure. On July 8, 2015, the Court ordered Defendant McDermitt to file an answer or other responsive pleading within twenty-one (21) days of entry of that Order (*see Doc. 33* at 2), and Defendant McDermitt filed her answer on July 29, 2015 (*see Doc. 34*). The Court finds that Defendant McDermitt's answer is timely and complies with the Court's Order and, therefore, will deny Plaintiff's motion.

IT IS THEREFORE ORDERED that Plaintiff's *Motion for Default Judgment on Court Order* (Doc. 36) is **DENIED**.

IT IS SO ORDERED.


LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE